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REPORT

OF

SPECIAL COMMITTEE

ON

Commercial Hospital

PRINTED BY ORDER OF CITY COUNCIL

January 2nd, 1861.

CINCINNATI:

GAZETTE COMPANY PRINT, CORNER FOURTH AND VINE STREETS.

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COUNCIL CHAMBER, }
WEDNESDAY EVENING, *January 2d*, 1861. }

LCn Mr. HIRST, from the Special Committee, to whom had been referred the petition of Students in Cincinnati College of Medicine and Surgery, asking the privilege to attend Hospital practice in the Commercial Hospital, made the following

REPORT.

To the Honorable, the City Council of the City of Cincinnati:

Your Committee, to whom was referred a Petition of Students in Cincinnati College of Medicine and Surgery, and asking privilege to attend Hospital practice, respectfully submit the following Report:

The subject is one which has occupied the attention of the medical men of the city for a number of years, and is of very great importance, not only to them, but to citizens generally.

The discussion upon the justice and propriety of one medical school having control of the Hospital, to the exclusion of all others, has been carried on by the Doctors for some time, with a great deal of warmth, and until our citizens outside the medical profession have become deeply interested in the question. Without entering into the controversy, we pro-

pose in as brief a manner as possible, to present the connection of the different Medical Colleges of our city with the Hospital, with such suggestions as the Committee may have to make.

The first singular fact presented in this investigation was this, that, while the city of Cincinnati has to assume the responsibility of the management of the Hospital, is compelled to furnish all the supplies and pay all its expenses, it still has no control over the most important part of the whole institution—namely, the medical department. The State of Ohio, while contributing but a small amount towards its construction, nevertheless retained the entire control of this and transferred it to the Medical College of Ohio. By a law, passed January 22d, 1821, entitled “An Act establishing a Commercial Hospital and Lunatic Asylum for the State of Ohio,” there was appropriated by the State Legislature, the sum of *ten thousand dollars*, for the erection of said Hospital and Lunatic Asylum. But the sum thus appropriated was composed of such peculiar funds, that but about four thousand dollars were realized from them. This fund was placed in the hands of the Trustees of Cincinnati Township, and they were required by the law to provide grounds, not less than four acres in extent, and to erect suitable brick buildings for the reception of all patients who might be brought there. They were to assume the responsibility of the management of the Hospital, and provide for its future support by taxes upon the citizens of Cincinnati. But the Trustees were debarred from exercising any control whatever over the medical department, which, by Section 8th of said “Act,” was made the duty of the Faculty of the Medical College of Ohio, who were to furnish all the medical and surgical services necessary, and have the privilege of admitting the students of their College to the Hospital practice, upon such terms as they might choose to prescribe. The Faculty were also given the power to appoint an apothecary or house surgeon. This control of the Medical College of Ohio, over the Hospital was

again confirmed by an Act passed December 31, 1825, entitled "An Act to incorporate and establish the Medical College of Ohio."

Thus it will be seen, that to this College was given the entire control of this department of the Hospital, and to it their students *alone* were admitted for the purpose of witnessing surgical operations and the practical treatment of the various diseases there to be found—a practice of incalculable benefit to the student of medicine. After some time, other medical colleges were established, and an effort made to have their students admitted to the Hospital upon the same terms with the Ohio College. Accordingly, an Act was passed by the State Legislature, February 26, 1839, authorizing the Trustees of Cincinnati Township to admit the Faculty of Cincinnati College to an equal participation in the medical and surgical supervision of the Hospital, with the Ohio College; also providing for the admission of other Colleges upon certain conditions.

In consequence of the Cincinnati College failing to carry out the provisions of this law, or rather their failure to accept its terms, the law has become a dead letter, and the Ohio Medical College still continues to enjoy all the benefits of Hospital practice, while all other Medical Colleges in our city, are deprived of that very great advantage of a medical school. A large and very respectable portion of the physicians of the city protest, and have for a number of years protested, against the exclusive monopoly of the Hospital.

In a discussion on the subject, carried on through the newspapers with a great deal of energy, in the latter part of the year 1858, a physician of considerable note wrote as follows: "While the medical claims to be a liberal profession, it will not tolerate a blind, misguided and destructive monopoly." Again, in a few days afterwards, he writes: "One of their own number and a lecturer in the Hospital, has proclaimed to the public, through the columns of the *Lancet and Observer*, that they cannot discharge their duties both to the College

and the Hospital." Three days afterwards, in reply, a writer in behalf of the College says: "When the Directors of the City Infirmary shall have complained of the oppression or expensive relation of the College and the Hospital, it will be time for the citizens to look to it."

These extracts are admitted here merely for the purpose of showing with what interest this subject has been regarded in times past, as well as to show that the present petition to the City Council, does not arise from any sudden ebullition of feeling on the part of other schools against the Ohio Medical College.

As it is undoubtedly the duty of the legislative authorities, to encourage the institutions of learning, so also is it their duty to encourage all alike, making no invidious distinctions. While it may have been perfectly proper to have given to the Medical College of Ohio, the supervision of the Hospital she now enjoys, at the time of its establishment, and the early days of the College, times have changed—the same reasons do not now exist. Other schools have grown up, and are at present filled with students striving to acquire the knowledge necessary to alleviate the sufferings of mankind, and to them the experience acquired by Hospital practice, is as essential as to the students of the Ohio College. In this the public generally are equally or more interested than the Colleges, for the reason that if a physician starts out upon his practice, without having had the experience of a practical treatment of diseases, acquired in a hospital, patients who are so unfortunate as to require his services, must suffer until he acquires that experience he should have at the commencement. No student of medicine should ever receive his diploma, without having first had a certain amount of hospital instruction. In some parts of Europe, every physician is required to have several years' hospital experience, before he is allowed to commence practice, and it should be so in this country. Our hospitals should be free to every student of medicine, under proper restrictions, of course, for in them they would receive the most important part of their instruction.

There has been no intention in the suggestions just made, to find fault with the Ohio Medical College or its management of the medical department of the Hospital. They have performed their duties there as well, and it may be better, than any other college would have done. But we take the broad ground, that the Hospital should be open to all the schools. It is not right that the Legislature should foster one college to the injury of the rest. Especially when the people of not only our own, but other communities, are interested in the result, and so much of human suffering and misery are at stake. Your committee, entertaining these views, considered what steps should be taken to arrive at the desired result. A communication was addressed to the City Solicitor, enquiring the extent of the legal control of the city over the Hospital, and what legal steps were necessary to be taken to acquire complete control. He replied promptly and cheerfully in a communication marked A, accompanying this report. Council will find in it matters of much interest pertaining to this subject.

Accompanying this report, will also be found a paper marked (B,) being a history of the subject given by the Directors of the City Infirmary, and showing the inconveniences that arise from a conflict of authority in the different departments of the Hospital; also, the evil effects such diversity of authority has upon the prosperity of the Institution, as well as the actual loss to the city. It will be found well worthy a perusal.

After due deliberation, it was decided that it is but right and proper, as well as for the best interests of all concerned, that the City of Cincinnati should have the entire control of the Institution, and would therefore recommend the adoption of the accompanying resolution.

SAMUEL B. HIRST,
THOMAS H. WEASNER,
JACKSON M. NOBLE,
J. F. CUNNINGHAM,

Committee.

Resolved, That the City Solicitor is hereby authorized, on behalf of the city, to petition the Legislature of the State to grant to the city of Cincinnati full and exclusive control of the Commercial Hospital now located in said city. The Solicitor is further requested to attend at the meeting of the Legislature, and press the subject before that body.

("A.")

CINCINNATI, Nov. 21, 1860. }
CITY SOLICITOR'S OFFICE. }

SAMUEL B. HIRST, *Chairman Special Committee* :

Dear Sir—Your note of yesterday contains three inquiries in respect to the Commercial Hospital which I will notice in the order in which they are stated by you.

1. "What control has the city over the Hospital?"

The Directors of the City Infirmary have, by law, the exclusive management of said Hospital, except in so far as the medical supervision of said institution has been given to the Faculty of the Medical College of Ohio, by the following provisions of law :

Section seven of an act to incorporate the Medical College of Ohio, passed Dec. 31, 1825, is as follows :

"It shall be the duty of the Faculty of said College to visit and attend to the patients in the Cincinnati Hospital and Lunatic Asylum for the State of Ohio, located in the township of Cincinnati, and to render to said patients such medical and surgical advice and service as their cases may respectively require, without any charge or pecuniary compensation therefor; in consideration of which the said Faculty shall have liberty and power, under such regulations as they shall think fit and proper to prescribe, to introduce the students and pupils of said College into said Hospital and Asylum to witness the treatment of diseases and such surgical operations as may be performed therein."

Section nine of an act to incorporate said Hospital, passed Jan. 22, 1821, provides "that the trustees of the township of Cincinnati shall have the exclusive management of said

Hospital and Asylum, with full power to appoint a steward, matron, and such other servants as may be deemed necessary, with the exception of the assignment of the days on which the said Faculty shall visit said Hospital and Asylum, and of the appointment of the Apothecary or House Surgeon, which shall be made by the Faculty of said College."

¶ By subsequent legislation, the duties and powers of the Trustees of said township have been transferred to the Directors of the City Infirmary, so far as concerns the question here considered. Both of the sections above quoted have received judicial construction in cases decided by the Superior Court of Cincinnati. Under Sec. 7, it was held by Judge Spencer, that the Directors of the Infirmary have no right to admit medical students to the privileges of said Hospital, without the consent of said Medical College. Under said Sec. 9, it was held by Judge Gholson that whatever resident physicians were required in said Hospital, should be appointed by the Medical College and paid by the city.

2. "What steps are necessary to give the City complete control of said Hospital?"

The object referred to can only be obtained by a radical change in the laws creating and regulating the Hospital, unless in the contingency referred to in your third inquiry, the Medical College should lose its right to the medical supervision of the Hospital.

3. "Has not the Medical College of Ohio forfeited its right to the medical control of the Hospital, by a failure to perform its duties under the law?"

If the Medical College shall refuse or neglect to perform the services, in consideration of which its Hospital privileges were granted, such refusal or neglect will work a forfeiture of said privileges. As to the facts in regard to the conduct of the Faculty of said College, the officers in charge of the Hospital will probably be able to give you the information you seek. I have no personal knowledge about it.

Respectfully,

R. B. HAYES, *City Solicitor.*

(“B.”)

OFFICE OF THE CITY INFIRMARY.)
CINCINNATI, Nov. 21, 1860. }

To the Chairman of the Hospital Investigating Committee :

SIR: We beg leave to direct your attention to the fact that the Superior Court has lately decided that this Board has no authority under the law of the charter of the Medical College of Ohio, to sell tickets of admission to students of medicine, who frequent our city in large numbers from many States to attend our medical schools, and observe the treatment of the sick in the Commercial Hospital. The privilege of selling tickets to students, other than those of the Medical College of Ohio, is one that has been exercised for years by this Board, and has been a source of very considerable revenue to our funds; but it is now entirely cut off, and the expense which this Board was under some years past in fitting up ample accommodations for the seating of two hundred students, is so much money wasted; for the class of the Medical College of Ohio is only about fifty in actual attendance, while the other schools number nearly four times as many, the sale of tickets to whom, as in former years, would increase the fund wherewith to purchase medicines for the Hospital.

The resident physicians have heretofore been recent graduates, but now two of the three are mere students of medicine, while the third, who is a graduate, is acting in a position in the College that must necessarily absorb largely his time.

A recent appointment made by the Faculty, predicated upon the letter of the charter, wherein it says that the Faculty shall appoint “an apothecary or house surgeon,” has been filled by three persons—one professor and two medical students, while this Board recognizes, and the law provides, that it be one person.

There is now a door open for a large expenditure on the part of the Faculty and their appointees, the house students, over whom this Board can scarcely exercise any restraint.

The City Council will understand that one of the greatest interests of our city, of a strictly local character, is under the government of the Legislature of Ohio. The law which has so united the College and the Hospital, was passed many years ago, under a state of things which no longer exists, and the most urgent public interest require its repeal, a position in which we are sustained by the urgent and long labors of the present Dean of the Faculty. The members of this Board know full well that no one has ever taken so much interest and used so much exertion as himself to effect this dissolution of the partnership of the College and Hospital. The Board is not satisfied with the present arrangement and management made by the Faculty at the Commercial Hospital.

First. They have been debarred from selling tickets to outside medical students, thereby diminishing the fund for Hospital purposes.

Second. The Faculty have appointed three persons to attend to the duties of Hospital apothecary, while the law says they shall appoint an apothecary or house surgeon.

Third. Two of the appointees now acting as house physicians are mere students of medicine, while the third one, a graduate, is employed a portion of his time in a capacity other than of physician.

This Board is of the opinion that the present arrangement for medical and surgical treatment, to patients at the Commercial Hospital, is very far from what it should be, nor does it feel justified in remaining quiet while so important a trust as the duties of resident physician, to an institution of this kind, numbering nearly two hundred patients, is entrusted to medical students, or even graduates deficient in experience, whose stay is intended as an introduction to the active duties of their profession, rather than as a benefit to the patients. It is claimed by this Board that a resident physician is indispensable in the Hospital, and that it is equally important

that he should be a physician of skill and experience, and not a "medical student."

The welfare of the patients as well as the interests of the city, requires such a change at this institution as shall secure skill and experience at the constant command of the suffering inmates of the Hospital; and, judging from the past, we have but little reason to hope this important reform can be effected, except by such legislation as shall dissolve the unnatural and unmanageable relation now existing between the Faculty of the Ohio Medical College and the Commercial Hospital.

The Faculty seem to assume the position that they can employ as many persons as they think necessary to act as druggists or house surgeons in the Commercial Hospital, and the Directors must pay for their services, which position, we think, is entirely untenable according to the spirit of the charter.

JACOB B. WYMAN, *Chairman.*

By order of the Board.

CINCINNATI, December 24, 1860.

TO SAMUEL B. HIRST,

Chairman Special Committee, &c.:

DEAR SIR,—Your letter is before me, and with great cheerfulness I shall proceed to answer its contents. For a more perfect understanding of the subject to which your letter more directly refers, allow me to present a few general preliminary remarks:

1. *The Origin and Objects of the Hospital Charter.*

During the early navigation of the Ohio river, the boatmen and stranger were often placed on shore at Cincinnati, sick and disabled, without shelter, and destitute of means. A physician of great forethought and untiring energy, procured from the legislature a Charter for the establishment of the "Commercial Hospital and Lunatic Asylum of Ohio." The project was actively opposed by many promi-

ment citizens. To meet the more [serious objections, the Charter provided for the permanent organization of a corps of medical attendants, who, from their varied ability and experience, would be able to discharge all the duties appertaining to hospital practice. It was deemed important also to remove the appointing power as far as possible from political and medical contentions. Again, the pecuniary objection to the establishment of a hospital was removed by requiring professional services to be rendered without compensation.

To accomplish all this it became necessary to unite legal compulsion with professional ambition. Hence the connection of the Commercial Hospital with the Medical Institution of the State. Forty years have elapsed since the union between the Hospital and College was perfected, and the question may be asked, Have the representatives of the College devoted that attention to the sick which their cases required and the public had a right to demand? To this question my answer will be brief and direct.

During a period of twelve years, anterior to 1850, I was a Professor in the Medical College of Ohio, and consequently one of the medical attendants at the hospital. The good of the hospital and the welfare of the sick were the prominent topics of conversation and solicitude. Each professor was emulous of success. In their regular labors the professors were assiduous and prompt in responding to every emergency. I should not say more of the present Faculty, I could not say less.

There is not a public charity in our midst about which so little is known as the Commercial Hospital. How many of the present Council have ever been within its wards? They contain at this time over two hundred patients. Who has attempted to form an estimate of the amount and value of the labor necessary in the examination and treatment of their cases? The Directors of the Infirmary themselves, not being present at surgical operations, have no knowl-

edge of their number, magnitude or importance. Not to multiply words, I may say, that no class of citizens receives more anxious and careful attention than the inmates of the Commercial Hospital.

Pecuniarily, from the State, what amount has been derived, directly and indirectly, by the Hospital, in consequence of its connection with the College?

It received about four thousand dollars in aid of its erection; it received one-half the duties from sales at auction, in Cincinnati, from 1821 to 1853 inclusive, amounting to *one hundred thousand dollars*. It has received in medical services through the Institution of the State not less than one hundred thousand dollars. Thus has the State contributed largely to the support and welfare of the hospital.

It has been said, on the one hand, that the hospital could have been supplied with medical attendants outside the College, without compensation. On the other hand, the questions have been asked: Why, if medical men are so anxious to serve the public gratuitously, are they rewarded for attending the Lunatic Asylum, the County and City Infirmaries, the Jail and City prison, the Orphan Asylum and City poor? What are the reasons for believing that the Hospital will be any more successful in urging her claims upon the affections and generosity of the profession?

The Guardians of the Hospital and the Faculty, during the twelve years to which allusion has already been made, extended towards each other respect and good will. Their consultations were free and frequent, and designed for public good. While they endeavored to be faithful in the execution of their respective duties, they were always willing to receive suggestions the one from the other. Thus was every department of the Hospital harmoniously and successfully managed. The present Faculty would gladly co-operate for the same important end.

In 1855 it was claimed by the Directors of the Infirmary that the Faculty were compelled, under the law, to act as

"House Surgeons" as well as attending physicians and surgeons; consequently they refused to compensate the "House Surgeons." A member of the Faculty fearing a difficulty in obtaining competent "House Surgeons" without some remuneration, agreed that the Directors might sell tickets to students out of the Medical College of Ohio, to assist in paying said "House Surgeons." The Directors were not sustained by the courts, and they were duly notified not to sell any more tickets. They persisted, and the Court was again called upon to arrest further proceedings. They were accordingly arrested, and the following correspondence followed:

OFFICE OF THE CITY INFIRMARY, }
Cincinnati, October 31, 1860. }

M. B. WRIGHT, M. D.,

Dean of the Faculty of the Ohio Medical College:

SIR—As the Court has decided that the *Directors* of the "City Infirmary" have no right to issue tickets to the Medical students not connected with the Ohio Medical College, to attend the medical lectures at the Commercial Hospital, it is therefore expected that no student will be admitted other than those belonging to that institution.

2. The Board are of opinion that the Faculty has the right, and it is their duty, to appoint an "Apothecary" or House Surgeon. The Board therefore expect that the Faculty will discharge the present House Physicians forthwith, and perform *themselves* the duties prescribed by the Charter.

3. The "Pest House" being one of the wards of the Hospital, it is expected by the Board that the Faculty, for the future, will render all the medical service necessary for that ward.

By order of the Board,

Respectfully,

JAMES F. IRWIN, *Clerk.*

OFFICE OF THE CITY INFIRMARY, }
Cincinnati, November 3, 1860. }

M. B. WRIGHT, M. D.,

Dean of the Ohio Medical College:

DEAR SIR—This morning the Board of Directors received inclosed communication, signed M. B. Wright, as a reply to an official communication addressed to M. B. Wright, Dean of Ohio Medical College. As we should like to treat the subject referred to, in both communications, as an official matter only, we respectfully ask if this answer is to be taken as such. If so, we wished it signed by the Dean of the "*Faculty*" of the Ohio Medical College.

By order of the Board,

JAMES F. IRWIN, *Clerk.*

MEDICAL COLLEGE OF OHIO, }
Cincinnati, November 6, 1860. }

To the Directors of the City Infirmary:

GENTLEMEN—Please receive the following as a brief reply to your letter of recent date, October 31st, 1860.

1. In the sale of tickets to students to attend the Lectures of the Faculty in the *Hospital*, we shall endeavor not to encroach upon the privileges of the Directors, nor to violate any provision of the Charters of either College or Hospital. Are we to construe the language of the Directors to mean, as a fixed principle, that no student of medicine shall be admitted into the Hospital to receive instructions from the Faculty, unless they (the Directors) become the recipients of the fee?

2. The Directors concede the right and duty of the Faculty to appoint House Surgeons to the Hospital, and yet they present the most singular claim, that the duties of the House Surgeon shall be performed by the Faculty. Will the Directors inform us what duties, in their view of the case, are to be assigned the House Surgeon?

In the selection of House Surgeons for the Hospital, the Faculty were governed by what they deemed the best interests of the sick, and their appointments were sanctioned by the Directors. If the Directors will present charges against the House Surgeons, whether of incompetency, inattention, or immorality, such charges shall receive due attention, and all concerned shall be awarded full justice. The Faculty, however, are unwilling to incur the fearful responsibility of depriving the unfortunate inmates of the Hospital of that daily and hourly attention their conditions may require.

The Faculty take great pleasure in assuring the Directors that they will not only perform all the duties required of them by law, but they will cheerfully respond to every call of humanity. They cannot, however, interpret either the law or common sense to mean that they shall perform the offices of higher or lower nurses.

Inasmuch as it is no part of our wish to engage in discussions, profitless to ourselves and threatening injury to the sick, allow us the pleasure of referring to the decision of Judge Gholson, in the case of Dr. Alexander, one of the Hospital physicians, against the City of Cincinnati. It may be found in the 8th volume of the Superior Court Records. The duty of the Directors respecting their recognition of House Surgeons, and the mode of payment, is there clearly and fully set forth.

In addition, the advice of Judge Storer in the claim of Dr. Carey, as *House Surgeon*, against the Directors, may be instructive. The views of these learned Judges amount simply to this: The Faculty have the *right to appoint*, and the Directors are under obligations *to pay*.

3. The Faculty have not refused to attend any patients in any ward on the Hospital lot. The Directors have assumed authority to appoint their own physician to attend the small pox patients, and to pay him out of the City Treasury. If there has been any illegality in this, and the appointment of an apothecary with a separate salary, it rests with the Di-

rectors. The Directors have not informed us when their physician to the Pest House will be discharged. The Directors are, doubtless, impressed with the importance of having all the departments of a great public charity conducted not only with wisdom and vigilance, but with reciprocal good will. While the Faculty and Directors in their separate departments should assert their independence, and vie with each other in a faithful discharge of duty, they should always feel at liberty to make such suggestions, the one to the other, as may seem best for the common welfare.

In conclusion, the Faculty would express their ignorance of any just cause, originating with themselves, for the present hostility of the Directors towards them.

Respectfully, M. B. WRIGHT, *Dean, &c.*

OFFICE CITY INFIRMARY, }
Cincinnati, November 7th, 1860. }

M. B. WRIGHT,

Dean of the Faculty of the Ohio Medical College:

DEAR SIR—At a meeting of the Board of Directors of this Institution, held this day, I was directed to notify you that they will, on Saturday next, the 10th inst., discharge the physician of the Pest House ward, and also the apothecary of the Hospital, now employed by them, and they expect you to have their places supplied in accordance with the Charter and laws governing this Institution.

Very respectfully, yours,

JAMES F. IRWIN, *Clerk.*

CINCINNATI, November 12th, 1860.

To the Directors of the City Infirmary:

GENTLEMEN—Your letter in which you state that the physician of the "Pest House," and the apothecary of the Commercial Hospital had been notified that their services were

no longer at your disposal, was received and submitted to the action of the Faculty.

The Faculty will make all necessary provision for attendance upon the "*Pest House*." They deem it proper, at this time, not to appoint an apothecary, but to add to the duties of the House Surgeons those which have been discharged by your apothecary.

This arrangement will increase the labors of the House Surgeons, but as they will be cheerfully and correctly performed, it is to be hoped that the Directors will allow them such additional compensation as their services may justify. Allow me to add that most of the young men who have desired place in the Hospital, have been poor and unable to live without some compensation for their services.

To secure those of talent and industry is important at almost any cost, but especially as it can be done with such a trifle. By the present arrangements several hundred dollars will be saved to the city, a part of which may very justly be applied to the payment of the *House Surgeons*.

We respectfully request an early attention to this point.

Respectfully, M. B. WRIGHT, *Dean*.

OFFICE OF THE CITY INFIRMARY, }
Cincinnati, Nov. 20th, 1860. }

M. B. WRIGHT, *Dean, &c.*:

SIR—Your note announcing, amongst other matters, that the "*Faculty* deem it proper, at this time, not to appoint an Apothecary—but to add to the duty of the *House Surgeons* those which have been discharged by your Apothecary." Do you intend this Board to understand that you decline a compliance with the distinct stipulations of the charter, thereby rendering it proper and necessary for this Board to supply this omission?

This Board declines concurring in any such arrangement as indicated in your note of the 12th inst., in relation to the

appointment of an "*Apothecary or House Surgeon.*" Your charter says an *Apothecary or House Surgeon*, a *single* appointment only, and so says this "*Board.*" And now, again, you are requested for reasons heretofore assigned, to indicate your appointee to the position of an "*Apothecary or House Surgeon.*" Your communication of the 5th inst., being followed by so extraordinary a method of filling the vacancy occasioned by the discharge of the "*Hospital Apothecary,*" this Board deems it proper to reply briefly to some portion of that letter.

In relation to the sale of tickets to medical students, not connected with your College, the Board intended to be understood as objecting entirely to the admission of medical students and pupils to the Commercial Hospital by the Faculty of the Ohio Medical College, except such as said Faculty are, by law, authorized to admit, deeming the charter under which they act, sufficiently explicit to prevent any mistake on the part of the Faculty.

You say the Directors concede to the Faculty the right and duty to appoint "*House Surgeons.*" They concede only what a fair construction and plain reading of your charter bears, and that is to appoint an "*Apothecary or House Surgeon.*" You will observe that the appointment is a *single* one, and not a multitude. The duties of an "*Apothecary or House Surgeon*" are presumed to be known by the parties having the right by law to appoint, without information from this "*Board.*"

You say in the selection of "*House Surgeon,*" the Faculty consulted the best interests of the sick, and their appointments were sanctioned by the "*Directors.*" In this paragraph, the "*Board*" is of the opinion that you have made two somewhat important mistakes. You continue the plural number as applied to your appointees, while this *Board* acknowledges only the right on your part to appoint an "*Apothecary or House Surgeon.*" The Board has never sanctioned your appointments of Resident Physicians at the Commercial Hospital.

You ask, can these (your appointees) be discharged without cause. Before this *Board* is called upon to answer this interrogatory, or make "*charges*" against your appointees, it claims to know from you by what authority these appointments are made, and the appointees placed in the Hospital and supported at the expense of the City?

By order of the Board.

JACOB B. WYMAN, *Clerk*.

CINCINNATI, Nov. 21st, 1860.

To the Directors of the City Infirmary:

GENTLEMEN—I am not the proper person to be constantly consulted in respect to your duties as officers of the city. Allow me, therefore, to refer you to the City Solicitor for his opinion touching the several points contained in your letter.

I sign this individually, for the reason, that in my former letters the views of the Faculty were fully expressed upon every point to which you wish a reply.

Respectfully, M. B. WRIGHT.

It will be observed in one of the above letters written by the Dean, that the Directors were requested to present any objections they might have, to the Resident Physicians of the Hospital, but none have been received either by the Dean or the Faculty. An anonymous communication, however, appeared in the Gazette, charging the Faculty with having appointed incompetent persons as resident physicians. The truthfulness of these charges, and the objects of the writer, may be inferred from the following letter:—

COMMERCIAL HOSPITAL, Dec. 20, 1860.

Professor M. B. WRIGHT:

DEAR SIR—About three weeks ago, we noticed a paragraph in the columns of the Daily Gazette, complaining of mis-

management in the affairs of the Hospital, and charging the Resident Physicians with incompetency and lack of attention in the drug store. This article was signed a citizen. Feeling interested in the matter, we called upon the editor, who informed us that the author was Mr. Wyman, one of the Board of Directors. We then called upon that gentleman, who expressly disclaimed any intention of making any charges against us personally, or as Resident Physicians—and stated that the object of his attack was the Faculty of the Ohio Medical College.

Respectfully,

JOHN S. BILLINGS,

ALEXANDER INGRAM,

Resident Physicians of Com. Hospital.

Subsequent to this, no official communication was received from the Directors, nor did the Faculty know that any objections had been made officially to the appointment of the Resident Physicians, on the ground of disqualification, until your letter of the Committee was received. The columns of a newspaper are too often used to propagate abuse, but, the guardians of a great public charity, should seek some other channel for the correction of errors, real or imaginary, especially as the Resident Physicians are their appointees, as well as of the Faculty.

Complaint has been made, that, by the late decision of the Superior Court, the Poor fund has been deprived of several hundred dollars annually, that might have been received from the sale of Hospital tickets. Can it be said that a man has lost that which never belonged to him? Any and every man in this community, had just as legal a right to sell hospital tickets as the Directors of the Infirmary, and will it be said that they have all lost money because they were not privileged to exercise this right?

The students of an Institution, known in medical circles as "Baker's College," appeared before the City Council, and asked that some action might be taken by which they could

obtain hospital privileges. It was generally supposed that the Faculty had refused to sell them hospital tickets, and to give them clinical instruction. This charge demands an unqualified denial. No student outside the Medical College of Ohio, has applied for a hospital ticket, consequently, none could have been refused.

Suppose, for a moment, that the students of the so called "Baker's College" had been refused admission into the hospital to hear lectures delivered by the Faculty of the Medical College of Ohio, would it have been unjust? Because one college is deficient in instruction, should another college be called upon to make up the deficiency? If the dissatisfied students enter upon practice with imperfect knowledge, should their patrons hold us responsible for their failures?

Again, the question of injustice may be answered by viewing these colleges in another aspect. The "College of Medicine and Surgery," ("Baker's College,") is a free college—the Professors lecturing for the pleasure of lecturing, or to "annihilate" some neighboring college. The Medical College of Ohio, in her charges, is placed on a footing with the respectable institutions of the country, fully possessed of facilities for teaching. In mercantile transactions, the man who sells for nothing, and expects to grow rich by multiplying his customers, cannot receive his supplies without great loss to very indulgent creditors. What would be the condition of the Medical College of Ohio, if her students were charged full fees, and the students of other schools were educated by her Faculty gratuitously? The State has often decided, that she will not sanction any policy calculated to destroy her own institution, to subserve the interests of a would-be rival.

Not only was no application made to the Dean for hospital tickets, by the students of "Baker's College," but, the Dean has ample reason to believe, that for ulterior objects they were advised not to obtain them. In a conversation with one of the Faculty of the above school, the Dean of the Med-

ical College of Ohio was thus interrogated: "If our students buy tickets of you, what do you intend to do with the money?" Receiving as an answer, that is a matter belonging exclusively to us, not you—he continued, "our students shall not buy your tickets. I have gone into that free school for no other purpose than to break up your monopolizing concern, and I intend to do it!"

After the Directors of the Infirmary had been relieved of all extraneous considerations, and looked to the good of the hospital only, they said in their communication to the Dean, "it is therefore expected, that no student will be admitted other than those belonging to that Institution," (the Medical College of Ohio.)

It is for others, who may be interested in the welfare of the hospital, to determine the wisdom of the instruction thus given by the Directors. That your committee may form an opinion as to the probability of peace in the hospital, by uniting the students of "Baker's School" with those of the Ohio Medical College, I herewith place in your hands the November No. of the "Medical and Surgical News." This monthly is edited and published by Professor Baker, the Chief of the "College of Medicine and Surgery." On pages 256 and 7, are editorials, to which I invite your attention, not so much on account of the misstatements they contain, as the malignant spirit which pervades them. Will they tend to allay contention? Will they bring additional quietude to the sick, and peace to the profession? So far as the personal interests of the Faculty of the Medical College of Ohio may be concerned, they are willing to bear meekly any amount of reproach, but, they are bound in every possible way to protect the interests of the hospital.

The following hospital regulations have been transcribed from the records of the Faculty:

THE RIGHTS OF THE DIRECTORS OF THE CITY INFIRMARY.

The Faculty of the Medical College of Ohio fully recognize the right of the Directors of the City Infirmary to determine what persons or patients may be admitted into or discharged from the Commercial Hospital, and that they have the entire control and management of the Institution, with the exceptions hereinafter stated :

"The right and duties of the Faculty of the Ohio Medical College."

The medical supervision of the Commercial Hospital is given by law to the Faculty of the Medical College of Ohio, and in order the better to perform the duties thus assigned them, they adopt and establish the following rules :

1st. The Hospital shall be divided into the following wards, viz: Male Surgical, Female Surgical, Female Syphilitic, Male Medical, Female Medical and Obstetrical.

2nd. The Faculty shall appoint three of its members to render service as follows: One for the Male and Female Surgical and Syphilitic wards; one for the Male Medical, and one for the Female Medical and Obstetrical.

3d. It shall be the duty of the Surgeon and Physician to visit their respective wards at least once a day, and it is advised that they make their visits as early as possible at the same hour each day.

"Duties of Resident Physicians."

1st. It is required when any patient is admitted into any of the wards, the Resident Physician of that ward shall, as soon as practicable, record an accurate and complete history of such case, and that therefore he shall keep written note of any change that may occur in its progress, such treatment as may be directed, and also such comments as the attending Physician or Surgeon may dictate.

2nd. In all cases where it is wished to make a *post mortem*

examination, the Resident Physician in the ward in which the death occurred, is required to send to the Directors of the City Infirmary a written statement of the name, age and time of admission of the deceased, and obtain their consent to make such examination.

3rd. Resident Physicians shall make no "*autopsy*" without the consent of the *Directors of the City Infirmary*, and of the Physicians or Surgeon of the Hospital.

4th. Resident Physicians are not permitted to prescribe for any patient, or perform any surgical operation, unless in case of great emergency, where delay might be dangerous to life, and in every such case of dangerous sickness or accident, it shall be the duty of the Resident to notify forthwith the attending Physician or Surgeon of the same. The same is especially enjoined as to the Obstetrical Department, and the Resident Physician in charge is expected to give notice to the Professor of Obstetrics or his substitute, of the commencement of labor in any case.

5th. The Resident Physicians are not permitted to absent themselves from the Hospital, for any considerable length of time, without the consent of the Faculty. They are expected to visit the wards often, be assiduous in the performance of their duties, exercise a careful supervision over the nurses, and report any delinquencies on their part to the Faculty.

It will be observed that, under the general arrangement, three of the Faculty are to be in constant attendance. Seven members, however, compose the Faculty, all of whom are ready to take places in turn, or in a body, as circumstances may require. At this time four members are in attendance.

The patients in the Hospital are all under the direct charge of the medical attendants. Resident Physicians have been appointed as assistants to enforce the instructions of the attending members of the Faculty, to watch carefully the changes in disease and the effect of remedies. The places of "House Surgeon," are assigned to those who are deemed best qualified after a rigid examination. Although the pres-

ent "House Surgeons" are subordinate to the Faculty, they have been well tried, and are considered qualified to discharge any duty that may devolve upon them.

"Dietetic Regulations of the Hospital."

House Diet.—This is the diet on which the sick are to be placed until ordered otherwise by the physician in attendance. Gruel, farina, rice, arrow root, sago, tapioca, beef tea, beef essence, chicken water, rice water, barley water, mucilaginous drinks.

Moderate Diet.—Tea, bread, crackers, broth, rice, mush, milk, potatoes, etc.

Full diet.—Bread, tea, coffee, chocolate, meat, eggs, butter, soup, potatoes, turnips, etc.

The kind and quantity to be regulated by the attending physician or surgeon.

In addition to the hundred thousand dollars paid by the State in actual cash to the hospital, and the same amount in medical services, there is still to be added compensation for attendance on the United States' boatmen. The hospital charges for attendance upon them, and the compensation has gone into the City Treasury. Last year the hospital received from this source seven thousand dollars, not a dime of which has been paid the Faculty.

It is now proposed to pay back to the State this amount of money that somebody may enjoy an increase of power, and be able to dispense a larger amount of personal favors. The friends of the College should not object to the refunding of the money as above contemplated, as it will relieve her of all pecuniary embarrassments.

Again, for many years after the College and Hospital were united, the Lunatic apartments of the Hospital received patients from every portion of the State. The Hospital was compensated for their keeping and medical attendance. Not a dollar has yet been paid to either College or Faculty.

For more than thirty years the County lunatics and sick

paupers were attended by the Faculty, in the Hospital, for which the Hospital received full remuneration, while the Faculty have received no return for their labor, in the end, except abuse from the Directors.

Thus, it will be seen, the Faculty have not only attended the patients properly belonging to the Hospital, as a great public *charity*, as they were bound to do under the Charter, but the pay patients likewise. I have not deemed it necessary to state the amount of money paid the Hospital on account of State and County patients; but, if at any time, your Committee desire to obtain it, for settlement, preparatory to an effort to separate the Hospital from the College, they can be gratified.

It may be interesting, perhaps, to state a few of the sums contributed by the State for hospital purposes :

Years.	Amount.	Years.	Amount.
1835 -----	\$2,717 43	1845 -----	\$5,410 54
1836 -----	2,741 37	1846 -----	4,594 81
1837 -----	749 74	1847 -----	4,594 81
1838 -----	5,119 92	1848 -----	4,381 67
1839 -----	3,626 13	1849 -----	5,135 14
1841 -----	4,084 71	1850 -----	4,968 67
1842 -----	3,938 57	1851 -----	2,997 26
1843 -----	3,404 07	1852 -----	1,005 63
1844 -----	5,167 22	1853 -----	3,664 06

There are still fifteen years to be included.

It may be proper to remind your Committee still further, that the State has not only contributed largely from her treasury in support of the Hospital, but that through her Faculty she has performed with scrupulous fidelity her obligations under the original contract. Not anticipating any faithlessness on the part of those who were elected by the City to fulfill certain defined duties, nor on the part of the City itself, the State authorized the Trustees of the College to borrow money for the erection of a new edifice. Bonds were issued on which to obtain funds, and they were purchased at par, not by speculators but by innocent persons seeking safe investments. They were purchased with an understanding that the Hospital was one of the sources of

income created by the labors of the Faculty. Deprive the College of its revenues and you depreciate her bonds and injure those citizens who have reposed confidence in the integrity of the parties concerned. For what good?

Previous to the decision of the Court against the assumed authority of the Directors, they were respectful in their treatment of the Faculty, communicative and uncomplaining. They assented to the appointment of resident physicians, and seemed gratified with the contemplated hospital arrangements. They have employed a physician to attend one of the wards of the Hospital, and an apothecary to fill prescriptions, in violation of law and at the expense of the City. The Dean objected to this outlay; and now, for the first time, they manifest displeasure at the loss of official power.

The decision of the Court rendered them hostile, and they assumed the dignified position named in one of their letters; namely, that no interchange of sentiment would be granted or communication received, except in writing and signed by the Dean officially. They now assail us by writing anonymous communications for newspapers, and arraign us before the Council on a charge of injustice to the Hospital. Neither to the Dean, nor to the Faculty, nor to any member of the Faculty, have they expressed dissatisfaction, on any point, save our unwillingness to give them the money derived from our labors.

It is presumed that your Committee have no disposition to undertake the profitless task of reconciling the conflicting interests of the ins and outs. On the other hand, the Committee are anxious to obtain, no doubt, all the facts relating to the Hospital and especially those bearing upon its interests. In addition to the above, it gives more pleasure to assure the Committee that nothing shall be wanting on the part of the Faculty to fulfil the just expectations of the public, and the requirements of the sick. For all this they ask nothing, they expect nothing, save the small privilege

of instructing their students, in their own way, without annoyance or hindrance.

Respectfully, . M. B. WRIGHT,
Dean Medical College of Ohio.

Mr. WALKER moved that the Report, with accompanying documents, be printed in pamphlet form for the use of members, which motion was decided in the affirmative.

Attest: SAMUEL L. CORWINE, *City Clerk.*

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Medical
College